IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO.62 OF 2007

Fem Care Farma Limited : Petitioner

V/s.

Mitra Parivar Co-operative Housing

Society Limited & Ors. : Respondents

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Mr.K.S.Dewal for the petitioner.

Mr.M.M.Bhadrashete for the respondents.

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CORAM : S.A.BOBDE, J.

DATE : JULY 25, 2007.

P.C.

1. According to the petitioner, the respondent-society has committed contempt by not issuing necessary Certificate within 15 days to enable them to pay stamp duty and registration fee and get the Deed of Confirmation as directed by the Asstt. Registrar in his order dated 18.8.2005. From the order of the Asstt. Registrar, it appears that the respondent-society was asked to issue the Certificate within a period of 15 days to enable the petitioner to pay stamp duty and registration fee. However, the Asstt. Registrar had made it clear in the order that if such a Certificate is not issued within 15

days, the order of the Asstt. Registrar would itself be treated as a Certificate. In these circumstances, it cannot be said that there was an order which has been wilfully flouted by the respondents.

2. Moreover, the said order is said to have been sent on 6.3.2007. I am satisfied that there is no wilful breach of the order of the Asstt. Registrar, without going into the question whether the Asstt. Registrar is a Court within the meaning of the Contempt of Courts Act.

3. The Contempt Petition is dismissed.

S.A. BOBDE, J.